

MAINE FOREST SERVICE RULE: CHAPTER 27

FORESTRY OPERATIONS PERMIT

APPLICATION

THIS PACKET IS FOR A FORESTRY OPERATIONS PERMIT APPLICATION

The following materials are included:

1. Instructions for obtaining a Forestry Operations Permit
2. Forestry Operations Permit Application Form
3. Description of Required Exhibits
4. The MFS Rule: Chapter 27 is available at maineforestservice.gov

PLEASE MAKE SURE YOU REVIEW ALL FORMS AND INSTRUCTIONS BEFORE
PROCEEDING.

THIS FORM IS NOT A VALID PERMIT

No activities may begin prior to your receipt of the permit.
Submit the completed application and all required attachments, including
the appropriate fee, exhibits and supplements to:

Dept. of Agriculture, Conservation & Forestry
Maine Forest Service
22 State House Station
Augusta, Maine 04333-0022

If you have any questions, or need assistance, please contact:

MAINE DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
Maine Forest Service
22 State House Station
Augusta, Maine 04333-0022
Tel: (207) 287-2791
or
Regional Enforcement Coordinator

Forestry Operations Permit Applications for MFS Rules: Chapter 27 Standards

From: Maine Forest Service (MFS)

Subject: Required Information for Forestry Operations Permits.

The Forest Operations Permit Applications as well as other applications required by MFS Rules: Chapter 27 in unorganized townships requires adequate information to be processed. The MFS has attempted to clarify a few of the questions asked in the FOP application form.

In general, those parts of the application which are usually deficient are Exhibits 1 and A. In most cases, provide as much information as possible and documentation (files, photographs etc.) to justify your request.

Exhibit 1

This exhibit asks for two basic types of information; (1) the harvest prescription you are proposing in terms of volume removal and type of harvest, and (2) the current stand composition and condition. The first part is generally handled quite well. However, the second part, dealing with the current stand description is where applications have insufficient information.

For an application to be complete, the following information should be submitted:

1. Stand volume (or basal area)
2. Age
3. Species composition (by percent per species)
4. Density
5. Amount of dead trees (expressed as percentage)
6. Amount of blow down (expressed as a percentage)
7. Type and quantity of regeneration (species and number of stems/acre)
8. Any other specific information which substantiates your choice of harvest prescription.

This information should graphically lead one to the conclusion that the harvest prescription being proposed is justified. Following are some examples:

1. When budworm damage is the reason for a harvest, some figures are necessary to substantiate that the budworm is a problem in the proposed harvest area. This could take the form of a stand damage severity index rating (such as the one developed by Ashley and Stark in Photo Field Guide for On-the-Ground Evaluation of Spruce Budworm Damage...on Balsam Fir) or by average percent crown defoliation of the stands covered by the proposed operation.

2. If your harvest prescription is based upon blow down potential, your stand description should include information which establishes that a blow down hazard exists. Factors such as soils, aspect, existing blow down, stand density, height, topography and others can be used to substantiate a blow down hazard. Blow down from a weather event should note the date of the event and include photographs and other pertinent documentation.

Exhibit A

In many cases the reasons for exceeding Chapter 27 Standards are explained once the stand description has been provided. However, in some cases there may be additional factors which have resulted in the harvest having to exceed the Standards. Those factors should be explained here.

Exhibit A is where applicants often do not describe to what extent they will exceed the Standards. Patch cuts of 20,000 square feet have an impact quite different from clear cutting 20 acres in a protection zone. Therefore, you should explain to what extent you are going to exceed the Standards and over how large an area. Whenever possible, sites where the Standards will be exceeded, as well as adjacent areas where they will not be exceeded, should be shown on a map of the harvest area.

Exhibit A is also where there are inadequate descriptions of the measures that will be taken to reduce the adverse impacts of the harvest on the protected resource. Here is where you would describe no-cut or limited-cut buffer strips, erosion control measures (BMP's, including type and placement) etc. If you are using a buffer strip, you should indicate its size and location on the map and describe its condition as opposed to that of the area to be harvested.

Another form of mitigation is the presence and extent of regeneration. If this is being used, provide a good description of the regeneration (species, height, and stems/acre). Consideration should be given to mitigating the loss of wildlife habitat caused by the harvest (such as retaining den trees or travel lanes).

In all cases, applicants should avoid the use of the vague and/or general catch words or phrases, such as dead and dying, mature, over-mature, budworm damaged, etc.. If these terms are used, they should be substantiated by facts and figures. For example, the statement "the fir is all dead" has two different meanings depending on whether the fir is only 10% or 90% of the total stand.

Providing substantial and pertinent information will serve to speed up the processing time of permit requests. A field visit to the application site may be required by the MFS or other agencies involved in reviewing the proposed activity.

If you have any questions or need assistance completing your application, please contact the Maine Forest Service.

Instructions for Obtaining a Forestry Operations Permit

1. A Forestry Operations Permit from the Maine Forest Service is required for Timber Harvesting and Timber Harvesting Related Activities within Unorganized and Deorganized Areas of the State.
2. Your application will be assigned a number when it is received at the MFS office by the Regional Enforcement Coordinator. Please refer all questions to the MFS Regional Enforcement Coordinator.
3. BE SURE to complete all parts of your application, both Questions, and Exhibits and make sure that your name is on documents and diagrams that you submit.
4. Send with your application a check or money order for the application fee, made payable to the **Treasurer, State of Maine**.

The basic **FOP application fee (\$100)** was established to cover expenses incurred in the processing of your application. In the event your application is withdrawn or disapproved, the application fee is not refundable.

5. Please prepare your application carefully. Incomplete applications will delay processing.
6. This application is in two parts:
 - A. Part I consist of questions and exhibits which pertain to all FOP applications. You must complete all questions and submit all exhibits in this section.
 - B. Part II consists of exhibits which pertain to specific LUPC zones and Chapter 27 standards. You must complete only those exhibits which pertain to your proposed operation.
7. For Deer Wintering Areas zoned as P-4 or P-FW, it is not necessary to complete this application form if:
 - A. The land manager and the Department of Inland Fisheries and Wildlife are in agreement as to how the operation will occur and a plan is developed.
 - B. In those cases where the P-FW or P-4 is overlapped by other protection zones, the operation will comply with all applicable Chapter 27 standards.
 - C. If both the landowner and IF&W cannot reach an agreement on a plan for the proposed activity, then a permit may be issued by the Division (Section 4 (C) (5)).
8. In order to file a complete application, you should review the Chapter 27 Standards and a copy the LUPC zoning map of the location of your operation. You will need to specify the township or plantation in which your operation will be located.

Maine Forest Service Rule: Chapter 27 - Forest Operations Permit Application

Application No: **FOP** _____

Instructions:

- STEP 1: Answer ALL questions and prepare Exhibits 1, 2, 3, and 4 in Part I.
STEP 2: Prepare those exhibits which pertain to your proposal in Part II.
STEP 3: Make out a check or money order for **\$100** payable to **Treasurer, State of Maine**, as the application fee.
STEP 4: Send your completed application to:

Maine Department of Agriculture, Conservation & Forestry
Maine Forest Service
22 State House Station
Augusta, Maine 04333-0022

PART I.

1. Applicant: _____
Address: _____

Telephone: _____ Fax: _____
Email: _____
2. Landowner(s): _____

3. Land Manager: _____
4. Timber Harvesting Operator: _____
5. Location: Township/Plantation: _____
Survey Designation: _____ County: _____
6. Period of Operations: _____, 20____ to _____, 20____
7. Season(s) of Operations:
☐ Winter (frozen ground conditions, only) ☐ Spring
☐ Fall ☐ Summer ☐ Year Round
8. Activities proposed include:
☐ Timber Harvesting
☐ Land Management Road Construction
☐ Land Management Water Crossings
☐ Other, explain: _____

9. Total area of operation for which a permit is required. (Do not include Management Districts).

10. List types of mechanized equipment, other than chainsaws, to be used in cutting and harvesting.

11. Will this be a: salvage operation ☐
presalvage operation ☐
neither ☐

12. Will this be marked wood cut? ☐ Yes ☐ No

If Yes, describe marking technique: _____

13. Exhibits 1, 2, 3, and 4 must be submitted for all applications. Exhibits A through G must be submitted for certain applications. See Instruction 6B. Please check below.

<u>Exhibit</u>	<u>Included</u>	<u>Not Applicable</u>
A	<input type="checkbox"/>	<input type="checkbox"/>
B	<input type="checkbox"/>	<input type="checkbox"/>
C	<input type="checkbox"/>	<input type="checkbox"/>
D	<input type="checkbox"/>	<input type="checkbox"/>
E	<input type="checkbox"/>	<input type="checkbox"/>
F	<input type="checkbox"/>	<input type="checkbox"/>
G	<input type="checkbox"/>	<input type="checkbox"/>

14. Compliance with MFS Rule: Chapter 27 standards?

A. Will the operation be conducted in compliance with MFS Rule: Chapter 27 Standards?

☐ Yes ☐ No

B. If Yes, will the operation be conducted under the provisions of Chapter 27, Section 4: C (11)?

☐ Yes ☐ No

C. If you answered Question 14 A “No”, see Part II, Exhibit A.

15. State any additional facts regarding this application that you may wish to bring to the attention of the MFS:

NOTE: The Maine Forest Service may require, upon request, additional information not encompassed by this application.

I hereby declare that I have examined this application, including the accompanying exhibits, and to the best of any knowledge and belief, the application is true and complete.

Signature: _____

Title: _____

Date: _____

EXHIBITS

1. Submit as Exhibit #1, a description of the extent and type of timber harvesting operation. Harvesting within the operation area should be described according to the following two criteria:

- A. Volume Removal:

1. Light Cut (0-40%)
 2. Heavy Cut (40%-70%)
 3. Clear Cut (70% or more)

- B. Type of Harvest:

1. Single tree selection
 2. Group selection
 3. Patch (indicate size)
 4. Strip (indicate width and length)
 5. Clearcut (indicate size)
 6. Shelterwood
 7. Other (specify)

Indicate the size of each area described and for each area specified. Explain in detail the reasons for the extent and type of harvest. Where the choice of harvesting is based upon insect or disease damage, blow down, over mature growth, etc., you must describe the extent and distribution of such conditions.

All operation areas that are identified must be delineated on a map of sufficient scale as to be easily interpretable. If the operation area is clearly delineated on Exhibit #2 (the location map), then the submission of a separate map will not be necessary.

2. Submit as Exhibit #2 a Location Map.

This must be a LUPC zoning map or similar map, including forest type map, on which is clearly marked:

1. The bounds of the operations area.
 2. Existing and proposed structures, roads, bridges, yarding areas and other man-made features, excluding skid roads and trails.
 3. All surface waters in the vicinity of the operation, and
 4. The map shall have a key which identifies all symbols used, and which differentiates between existing and proposed features.
3. Submit as Exhibit #3 a detailed description of the scenic, aesthetic and recreational impact of the proposed operation. Consideration should be given to:
 1. Visibility from public roads.
 2. Visibility from roads used by the public.

3. Visibility from populated/developed areas.
 4. Visibility from trails, including land and water trails, and other areas regularly used by the public for recreational purposes.
 5. Visibility from water bodies.
 6. Type and extent of recreational activities occurring in the vicinity, and the impact on the operations on such activities.
 7. If shoreland operation, describe extent of development of water body in the vicinity of the operation, and the level and type of use(s) of the lake/pond/river/stream.
 8. Type, extent and timing of harvest.
4. For all applications except for operations within P-MA or P-SG zones, complete and submit as Exhibit #4 the attached Soil/Topography Questionnaire. For P-MA and P-SG zones, see Part II, Exhibits B, C and D.

PART II

1. For exceeding the standards of:

1. Chapter 27, or
2. P-RR District.

Submit the following as Exhibit A:

1. Reference to the specific subsection(s) to be exceeded, including the extent to which they will be exceeded.
2. The reasons for exceeding each of the standard(s), in detail.
3. Measures to be taken to prevent undue adverse impact on the uses and resources being protect.

PLEASE NOTE: The standards were established as minimum protection for aesthetic, recreation, erosion and sedimentation, and access considerations. Exceeding the standard indicates a potential for adverse impact. This exhibit must demonstrate how adverse impact will be avoided. You should discuss exact location of activities, relative to protected resources and uses, construction specifications, water control, soil stabilization and in the case of Remote Ponds, accessibility. Include plans for stabilization of truck and skid roads, skid trails and log yards during use and upon discontinuance of use. For water crossings not in compliance with standards, explain in detail the erosion and sedimentation control measures to be taken. (Scenic, aesthetic and recreational considerations should have been discussed in Part I, Exhibit #3. Make additional comments in this exhibit as you feel necessary.)

2. For P-MA and P-SG zones:

1. Submit as Exhibit B, a reconnaissance level (Order 3) soil survey map or surficial geology map of the operations area. This map must be prepared by a Maine Registered Soil Scientist or Surficial Geologist. The characteristics of the soils or surficial geology must be described in sufficient detail to allow for preparation of Exhibit C, the analysis of limitations.
2. Submit as Exhibit C, a thorough, site specific analysis, of the limitations which the soils or surficial geology and topography identified in Exhibit B have for the activities proposed.

This analysis should discuss limitations caused by slope, depth to bedrock, ground water, surface water, erodibility, potential for sedimentation, and susceptibility to stabilization.

Reference may be made to the criteria and/or ratings of the Soil Suitability Guide for Land Use Planning in Maine.

3. Submit as Exhibit D, a thorough and specific plan to overcome the limitations identified in Exhibit C. This plan should include:

- a. Road and water crossing specifications, and soil stabilization and water control/drainage structure specifications, including the basis for the specifications chosen.
- b. It is not necessary to submit a map of skid roads and trails, however, the criteria for layout, construction, maintenance and termination of use must be included. Consideration should be given to maximum slopes to be utilized, type and spacing of water control measures, and interim and final soil stabilization measures.
- c. Rationale for season of operation and scheduling of activities.

3. For **P-UA** zones:

Submit as Exhibit E, a description of how the proposed operation will and will not have an adverse impact on the historic, scenic, scientific, recreational, aesthetic or water resources protected by the district.

4. For **P-RR** zones established to protect **TRAILS** and flowing waters:

- a. For timber harvesting activities, submit as Exhibit F, a description of how the proposed operation will and will not have an adverse impact on recreational uses and values.

5. For **P-RR** zones established to protect **REMOTE PONDS**.

- a. For Land Management roads less than 1000 feet from the pond, you must submit a road permit application.

EXHIBIT 4

Forestry Operations Permit Application

SOIL/TOPOGRAPHY QUESTIONNAIRE

To be completed for all applications except those for operations within P-MA and P-SG districts.
(See Exhibits B, C and D instead.)

This questionnaire must be completed and signed by a Licensed Forester.

1. Character of topography: (Check the appropriate categories :)

A.

- ☐ Upland
- ☐ Bottomland
- ☐ Other: specify _____

B.

- ☐ Long, gently sloping ridge
- ☐ Moderately sloping and hilly
- ☐ Steep, mountainous land
- ☐ Other, specify _____

2. Percent slope of the site (in general): _____ percent.

3. Outcrops of ledge present: ☐ Yes ☐ No
Percent of site covered by outcrops _____ %

4. Microtopography: Land surface is: ☐ Smooth ☐ Hummocky ☐ Sloping with benches

5. General statement about the site, based on observations made throughout the project area.
Soils are:

- | | |
|--|--|
| <input type="checkbox"/> Sandy or gravelly | <input type="checkbox"/> Well drained |
| <input type="checkbox"/> Loamy | <input type="checkbox"/> Moderately well drained |
| <input type="checkbox"/> Clayey | <input type="checkbox"/> Poorly drained |
| <input type="checkbox"/> Peat and Muck | <input type="checkbox"/> Other, describe: _____ |

6. General comments about overall soil - slope - drainage conditions:

7. Are swamps or bogs present within the proposed road location areas?

☐ Yes ☐ No. If Yes, briefly state the character of these areas, including an estimate of their size. If the roads will be built through or directly abutting such areas, explain any special construction techniques to be used.

8. Signature: _____

Title: _____

Date: _____